

WORLD TRADE ORGANIZATION

RESTRICTED

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(95-0241)

Interim Committee on Government Procurement

Original: English

APPLICATION FOR ACCESSION TO THE AGREEMENT ON GOVERNMENT PROCUREMENT

The Kingdom of the Netherlands with respect to Aruba

The following communication, dated 30 January 1995, has been received from the Permanent Mission of the Kingdom of the Netherlands with the request that it be circulated to the Signatories of the Agreement on Government Procurement (APG) 1994.

The Kingdom of the Netherlands with respect to Aruba has the honour to inform the Interim Committee on Government Procurement that it is interested in acceding to the newly concluded Agreement on Government Procurement and the activities of the Interim Committee on Government Procurement.

Aruba is part of the Kingdom of the Netherlands, but enjoys an autonomous status under the Statute of the Kingdom of the Netherlands, as modified in 1986. Aruba does not form part of the European territory of the Kingdom of the Netherlands. The Kingdom of the Netherlands is a member state of the European Economic Community, but the Treaty establishing the European Economic Community applies fully only with respect to its territory in Europe. Aruba is considered as an overseas country or Territory of a member state in the sense of Article 227, paragraph 3 of the Treaty of Rome, 1957. The relations between Aruba and the European Economic Community are governed by Part IV of the Treaty of Rome and Decisions by the Council of Ministers of the European Economic Community in the application thereof.

When the European Economic Community acceded to the Agreement on Government Procurement, it did so only with respect to the European part of the Kingdom of the Netherlands.

The present request for accession only applies to the Kingdom of the Netherlands with respect to Aruba. Annexed is its offer by way of appropriate appendices which would procure in accordance with the provisions of the Agreement. I should appreciate it if you would kindly circulate this communication and this draft offer for the attention of the signatories of the Agreement on Government Procurement (APG) 1994.

APPENDIX I

Annex 1

Central Government Entities which Procure in Accordance with the Provisions of this Agreement

Supplies	<i>Threshold:</i>	SDR 130,000
Services	<i>Threshold:</i>	SDR 130,000
Works	<i>Threshold:</i>	SDR 5,000,000

List of Entities:

Ministry of General Affairs;
Ministry of Public Works and Health;
Ministry of Transport and Communication;
Ministry of Welfare;
Ministry of Justice and Sport;
Ministry of Finance;
Ministry of Economic Affairs.

Annex 2

Sub-Central Entities which Procure in Accordance with the Provisions of this Agreement

Non-applicable for Aruba (Aruba does not have any Sub-central Governments).

Annex 3

Other Entities which Procure in Accordance with the Provisions of this Agreement

Supplies	<i>Threshold:</i>	SDR 400,000
Services	<i>Threshold:</i>	SDR 400,000
Works	<i>Threshold:</i>	SDR 5,000,000

List of Entities:

Water en Energiebedrijf N.V. (Water and Energy Company);
Aruba Ports Authority N.V.;
Arubus N.V. (Public Transport Company);
Setar (Telecommunications Company);
Airport Authority N.V.;
Findacion Cas pa Comunidad Arubano (Public Housing).

Annex 4

Services

<i>List of Services</i>	<i>CPC ref #</i>
Legal services	861
Accountancy	862
Taxation services	863
Engineering services	8672
Computer services	841
Management consulting services	865
Franchising	8929
Insurance	812, 814
Banking and securities trade	811, 813
Hotel lodging services	6411
Entertainment services	9619
Recreation park and beach services	96491
Sporting services	9641
Shipping (freight and passenger transport)	72
Maritime auxiliary services: cargo handling	74
Freight transport: agency services/freight forwarding	74
Maritime auxiliary services: storage/warehousing	74
Road transport	71231, 71234, 71239

Annex 5

Construction Services

<i>List of Construction Services</i>	<i>CPC ref #</i>
Construction work for buildings	512

APPENDIX II

**PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION
OF NOTICES OF INTENDED PROCUREMENTS - PARAGRAPH 1
OF ARTICLE IX, AND OF POST-AWARD NOTICES -
PARAGRAPH 1 OF ARTICLE XVIII**

The Aruba Gazette "Landscourant" as well as in local newspapers.

APPENDIX III

**PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION ANNUALLY OF
INFORMATION ON PERMANENT LISTS OF QUALIFIED SUPPLIERS IN THE CASE OF
SELECTIVE TENDERING PROCEDURES - PARAGRAPH 9 OF ARTICLE IX**

Non-applicable for Aruba: Aruba does not operate permanent lists of suppliers and service providers.

APPENDIX IV

PUBLICATIONS UTILIZED BY PARTIES FOR THE PUBLICATION OF LAWS,
REGULATIONS, JUDICIAL DECISIONS, ADMINISTRATIVE RULINGS OF GENERAL
APPLICATION AND ANY PROCEDURE REGARDING GOVERNMENT PROCUREMENT
COVERED BY THIS AGREEMENT - PARAGRAPH 1 OF ARTICLE XIX

Aruban laws and legislations are published in the Aruban Gazette "Landscourant".